

TESTIMONY AGAINST DAVIS

Alleged Train Wrecker Faces a Number of Witnesses.

FEATURES OF THE AFFAIR REVIEWED

Details of the Scene at Which Many Rock Island Passengers Perished Some Time Since.

LINCOLN, Nov. 20.—(Special.)—John Corey was the first witness this morning in the Davis murder trial. He had recognized Davis as the man who applied to him for information as to the direction of the railroad crossing the night of the wreck. A new witness was Mrs. Mary Cuddy, member of the Salvation Army. To a certain extent she corroborated the testimony of Corey.

Some excitement was created in court when Lincoln County was examined. It was a guard at the penitentiary. He went to the wreck and saw a man there about the size of Davis. He said he was present when the crowbar was found in the wheels. Attempting to impeach the witness, counsel for the defense asked if it was not true that at the trial last March he was asked by his wife what he knew about the case, and if he had not then replied that he knew nothing except that he saw Davis come back from the wreck in a hack. He was asked if he had also told his wife that he was being paid for testifying as he had done. The witness denied this vehemently and appeared somewhat confused. Mrs. Gardner will testify for the defense. The rest of the testimony was the same that has been previously published.

BOUGHT MOSHER'S PLANT.

The Cudahy Packing company will likely begin operations at the penitentiary. The business will be the manufacture of barrels, tubs, pails and kegs. In the county clerk's office bills of sale were filed today covering all the plant at the penitentiary formerly used by the Western Manufacturing company. The bills of sale were from H. J. Walsh to the Lincoln Copeage company, and from the latter to Raymond and Elizabeth Welch to the Cudahy company. They covered the same property and were for \$10,000 each. It is said that M. D. Welch will be in charge of the business for the packing company.

This morning the police arrested Frank Wyrick and Charles Rate on the charge of grand larceny for taking a lot of overcoats. They are said to be wanted at Topeka, Kan. The theft was committed at a business college in that city.

It is reported on apparently good authority that Victor Seymour has been given the reporter's position in Judge Cornish's court. Judge Cornish is the new judge who defeated Judge Tibbatts at the late election in this county.

In the case of Grommes & Ulrich against Sheriff Miller, involving the ownership of liquor in the Hotel Lincoln bar when Landford Shears was put out of possession, the jury found for the plaintiffs and gave them 1 cent damages.

COURT BUSY IN BURT COUNTY.

Judge Keyser Rapidly Disposing of the Criminal Docket.

TEKAMAH, Neb., Nov. 20.—(Special.)—Judge Keyser has been holding long sessions of court this week in an effort to dispose of the criminal docket in this county. Monday the case against Joel Marr was disposed of. Marr, who skipped out of the county some five years ago with a team of mules on which a local bank had a chattel mortgage, was dismissed under the statute of limitation. Tuesday the case against Henry A. Pratt was brought before the court upon complaint of his wife that he was disposed to desert her household goods, and she asked that he be compelled to give bonds to keep the peace. Mrs. Pratt separated herself from her husband some time ago, but continued to live in a flat owned by her husband, and to this extent claimed his support. Last summer she occupied more rooms than her husband was disposed to devote to her, and she removed her goods from two rooms and threatened to remove them as often as she placed them therein. Judge Keyser claimed that there was no evidence that Pratt intended to break the peace, and also that Mrs. Pratt, having separated herself from her husband, was not entitled to his support, hence the removal of her goods was no infringement of the peace. The case was dismissed.

Jacob Schneider has been on trial today for having in his possession and selling liquor unlawfully. Schneider is the man who has been selling liquor in this county on the border of the reservation to Indians and who has recently served out a sentence given him by the United States court. The case has been two cases of whisky selling against him, and one for resisting an officer, in breaking up of liquor captured by the sheriff. On the charge of resisting an officer he was found guilty, but has not yet been sentenced. On one count for selling liquor, he pleaded guilty and was fined \$250.

Beatrice Breivites.

BEATRICE, Nov. 20.—(Special.)—G. J. Evans, Hestberg, and C. M. Clark, friend are in the city conferring with their fellow-officer, M. E. Shultz, regarding matters connected with the State Board of Pharmacy.

Rev. C. S. Dudley of Centenary Methodist Episcopal church left today for Agency, Ia. in response to an announcement of the death of a sister. He will accompany the body to Geneseo, Ill., for interment.

Judge Bush this morning ordered a case docketed in the district court in the name of the state of Nebraska against Attorney W. S. LeFane, upon a charge of contempt, in accordance with the episode related in The Bee yesterday.

"Happy Harry" Quits Ashland.

ASHLAND, Neb., Nov. 20.—(Special.)—Harry Johnson, an eccentric old Englishman who has been pumpan for the Burlington one mile east of Ashland, who used to walk along almost barefoot up to his knees in place and go to his family, who live in Wahoo. He has a nice, comfortable home in that place, having recently traded his home

WISNER Woman Surprised.

WISNER, Neb., Nov. 20.—(Special.)—Eight years ago Charles McKennan, living near this place, left home under somewhat mysterious circumstances. After a lapse of a few years his wife obtained a divorce on the ground of desertion. A few days ago McKennan returned to his former haunts, much to the surprise of his former wife, who believed him dead. The couple will be remarried.

Stricken with Paralysis.

NIORARA, Neb., Nov. 20.—(Special.)—Mrs. John Conway was stricken with paralysis yesterday and has been unconscious since the attack. She had several spasms Saturday night, but has not lasted over an hour. Her death is hourly expected.

Treasurer's Shortage Compromised.

GRAND ISLAND, Neb., Nov. 20.—(Special.)—The civil case in district court against ex-City Treasurer Edward Hooper has excitedly been dismissed. Mr. Hooper and bondsmen offering to settle at 50 cents on the dollar and paying costs so far made. The total shortage reported by the expert accountants was \$98,000. No criminal proceedings were brought against Hooper.

OMAHA JOBBERS' EXCURSION

Trip Yesterday From Parts of Iowa and Missouri.

CORDIAL WELCOMES ALONG THE LINE

Pretty Little Towns that Show the Thrift and Prosperity of Counties in Two States—The Day's Incidents.

At this season of the year 7:30 a. m. comes rather early in the day, but none too early for Omaha's wide-awake business men, who were out in full force yesterday morning, the occasion being the Commercial club's excursion over the Omaha & St. Louis railroad to Stanberry, Mo. At the hour named the special pulled out from the depot bearing a large delegation of Omaha jobbers and manufacturers, besides representatives of the railroads and newspapers. Among those aboard were: Euclid Martin, E. A. Dayton, A. R. Comstock, Z. T. Lindsey, George Marks, C. W. Watters, W. C. Cole, George N. Hicks, George H. Payne, W. S. Wright, W. F. Fats, H. J. Pentoff, C. A. Starr, E. M. Andresen, O. C. Holmes, M. C. Campbell, Dr. D. A. Foote, R. H. Eardent, F. B. Crowley, C. M. Rawitzer, C. D. Thompson, Charles E. Black, M. Cahn, W. T. McConnell, C. E. Hedwell, J. B. Rahn, James H. Conrad, George Carpenter, W. S. Balduff, M. B. Pratt, Robert Purvis, Arthur Silverick, A. F. Darby, L. Huggins, George W. Woodruff, A. Kuhn, L. G. Doug, Samuel Katz, E. V. Leabury, Irving Albright, H. Lee, Jeff W. Bedford, R. S. Wilcox, W. A. Schrei, H. K. Burkett, A. C. Davenport, E. F. Test, E. J. Barrett, J. J. Barrett, A. D. Fox, J. H. Barrett, S. M. Ganssart, C. W. Reed, James Amosco, M. G. Perkins, Dr. Mann, F. E. Sauborn, S. A. McWhorter, H. B. Payne, A. E. Bailey, George M. Erickson, commercial agent of the Wabash; A. B. Miller, traveling agent of the Union Pacific; R. F. Hodgins.

ENTERED A FINE COUNTRY. As the train pulled slowly across the river toward the Iowa side time was taken to be produced by many and the route and character of the country carefully inquired into. The Omaha & St. Louis railroad is a part of the Wabash system, and at Council Bluffs, runs southeasterly to St. Louis. It cuts across a corner of Pottawattamie county, diagonally across Mills county, and then, after the northwest corner of Papp county, crosses over into Missouri. It passes through the center of Nodaway county, where it is located in the extreme northwest point of the excursion. Beyond that point the road has no interest so far as the present occasion is concerned.

The distance from Omaha to Stanberry is 115 miles, through an exceedingly rich agricultural country. The population of the five counties traversed by the road between the two points mentioned is 100,000. The population of Pottawattamie is 102,663. The largest town is Maryville, with a population of about 5,000, Shenandoah coming next with 3,000, and Malvern with 1,200. The other towns are all small, having a population of only 200 to 700. The country, being rich and prosperous and more accessible to Omaha than any other jobbing center, offers great inducements for the establishment of closer business relations. The people along the line of the Omaha & St. Louis railroad are already shipping some live stock to Omaha, and a big haul of 1,242 cars being received in one year, and Commissioner Utz is of the opinion that Omaha ought to return merchandise for live stock. It was with the hope of stimulating this exchange that yesterday's excursion was projected.

The first stop was made at Silver City where a delegation of citizens was found at the depot. The committee, composed of W. B. Oake, F. E. Hart, W. C. Swarts, W. H. Nevea, E. C. Hepler, J. C. Hepler, A. P. Reever, Morris Kelve, Dr. McCue and M. F. Moogaw, escorted the party to the opera house, where an impromptu reception was held. An abundant supply of high quality genuine apple cider and cigars were placed at the disposal of the travelers, and duly appreciated. F. E. Hart of the Silver City Review made a neat little speech of welcome and after mutual introductions and a survey of the town Commissioner Utz cried all aboard and Silver City was left in the distance.

A ride of eight miles through a magnificent farming country, with evidences of thrift and enterprise on every side, brought the excursionists to Malvern, the county seat of Mills county. "Not a vacant store in this town," the remark of one of the party, expresses better than anything else the standing of Malvern as a trading point. Large and well assorted stocks of goods indicated a liberal consuming demand, while the pleasant, well kept appearance of the hill proved that business in Malvern has not been without its profits.

Inogene was soon reached, where C. N. Marvin and W. H. Taylor have recently acquired and invited the party to partake of the hospitality of Shenandoah. A few minutes run and the train pulled out at the depot in Shenandoah, where a genuine surprise was awaiting the travelers. A numerous delegation of citizens, headed by the mayor, was there with carriages, and the party was treated to a most enjoyable ride over the city.

IT IS A THRIFTY PLACE.

Shenandoah is a city of clean homes, well shaded streets and thriving business houses. The whole town has a well kept and prosperous appearance, and no one need be told that it has continued to grow steadily even during the dull times of the two years past. A large number of fine, new residences have been completed the past year, besides some larger buildings, such as the armory of the local company of the Iowa National Guard. The local statisticians figure an increase of 600 in population for the year. The city is proud for its support upon the surrounding country, which is rightly considered one of the richest agricultural sections of the state. Any number of elegant residences are pointed out as the homes of retired farmers who have made their money out of the land.

After viewing the excursions they were driven to the main street, where the acquaintance of the business men was made. The Shenandoah National bank served an elegant lunch of sandwiches and cold came in very timely after the long drive. The time to depart came too soon for some of the party, but they were glad to get away. W. Lewis liked the place so well that he concluded to remain there, then changed their minds and telegraphed the train to come back after their goods had been packed. Mr. Farrell, Jr., and C. B. Hall have held the record for getting left on jobbers' excursions, but they will now have to give place to these new arrivals from Inogene.

Next Stopping Place was Coin.

The train halted a few minutes, and after that came Blanchard, Iowa, that burned down and is now being rebuilt in a substantial manner. Dinner was had at Rosberry, and though there was no town, but only a saloon, it was pronounced one of the most important points on the line.

NODAWAY COUNTY'S CAPITAL. Maryville, the largest town in the county, was reached at 2:30, a town of about 5,000 population, having every evidence of prosperity. The streets were lined with farm wagons, and the merchants appeared to be doing an excellent business. Maryville would seem to be a most promising field for Omaha jobbers if freight rates could be kept at a reasonable level. As it is, some are barred out by the rates which give competing points the edge. Some lines of goods upon which freight cuts very little figure, ought to find a good market, though Omaha jobbers will have to contend against houses that already have a strong hold upon the trade.

Maryville is a town that believes in high license and no mistake, the tax being \$2,100. The result is that the saloons have been all but taxed out of existence, only two being left. Frank Griffin, the editor of the Daily Review, placed the excursionists under obligations for his thoughtfulness in looking after their comfort.

Stanberry, the turning point of the excursion, was reached at 4:30, and the travelers met with a pleasant reception at the hands of the citizens.

The return was without incident, Omaha being reached at 11:30 p. m. The trip, as a

Quitting--

Since we've begun to quit there's trouble in the clothing business—the atmosphere is full of knives, axes, saws, cleavers and sharp lead pencils—and there's lots of price cutting among our worthy competitors—

But we go 'em one better again—

There's panic in these prices—

We're quitting—going to quit—got to quit—so we quit—

Overcoats

Fine English kersey Overcoats, fly front, silk velvet collar, latest length, cut to only

\$5.00

Ullsters

Heavy frieze, beaver and shotlands, never sold for less than \$10.00, cut now to only

\$5.00

Pants

3,000 pairs men's Pants, all colors, hair lines, neat stripes and solid color, all go at 75c to

\$2.00

Furnishings

Heavy fine threaded merino Underwear, 75c quality for

37 1/2c

All our 50c and 75c Leather Mittens, warm lined, go in one lot at, choice

25c

Wilson Bros.' fine \$1.25 White Shirts, what are left go at

75c

Stout Suits for Men

At the thinnest prices ever known in Omaha.

Suits for short, stout men—big, stout men—and all sorts of heavy built fellows—Suits in sacks and cutaways—Suits that sold up to \$20.00, and not one for less than \$13.50, all in three lots at

\$6.50

\$7.25, \$8.50

"H. S. & M."

All our regular line of Hart, Schaffner & Mark fine Men's Suits go in this sale at less than half the old price. Fine cutaway and Prince Albert Suits, in fancy worsted, clay worked, trimmed and tailored equal to finest mercantile tailored garments. All go—every suit in the store—choice of any suit in three lots—worth up to \$20.00.

All our \$1.50 and \$2.00 Fedora and Stiff Hats go now for, choice

\$6.00

\$7.00, \$8.00

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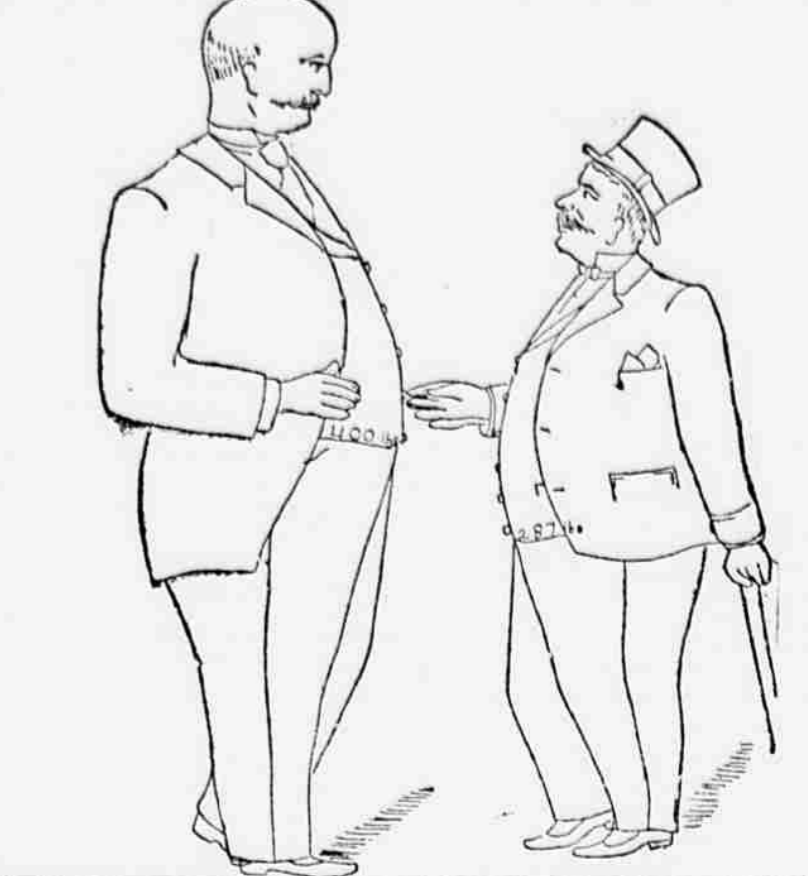
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Fixtures for sale.

Six fine show cases. 40 fine walnut counters. One fine tailors' sewing machine, Singer pattern. Three display cases. A lot of window fixtures. All for sale, very cheap. Call at store.

EQUITY CLOTHING CO.,

Bound to go out of Business,

18TH AND FARNAM STREETS, OMAHA.

Advertisement for EQUITY CLOTHING CO. featuring 'THE POPULAR CARPETINGS', 'HOUSE FURNISHERS', 'PALACE REGAL VENTILATOR', 'SPECIAL INDUCEMENTS', and 'OMAHA FURNITURE & CARPET CO. 1211-1213 FARNAM ST.' The ad includes detailed descriptions of ventilators, inducements for new beginners, and a list of products like stoves, ranges, and crockery.

whole, was pronounced a great success by all, and such remarks as "I came for pleasure, but it has done my business lots of good" were frequently heard. It seemed to be the general opinion that the display of a proper amount of energy on the part of Omaha jobbers and manufacturers would result in Omaha's securing a good share of the trade along the line of the Omaha & St. Louis road. The merchants appeared ready to meet Omaha more than half way.

DEFENSE OF CUMMINGS COMMENCES.

Witnesses Testify that Vance Assailed the Stayer with a Cue.

Shortly after noon yesterday the state rested its case in the Cummings murder trial. All the morning was occupied in hearing the testimony of Owen Marlane, one of the young men who was with Vance throughout the evening on which the latter received the wound which resulted in his death. Nothing new developed in the testimony beyond the fact that the witness repeated a statement made by Vance before his death. Vance had said that he stepped up to Cummings to attempt to settle the dispute over the pool game, when the latter struck him over the head with the billiard cue.

All of these witnesses contradicted the testimony of the men arrested in this case. The latter had stated that Cummings struck Vance without a word being said, and that the latter had nothing in his hands. The witnesses for the defense, on the other hand, swore that when Vance walked around the billiard table he picked up a cue, and when he advanced toward Cummings to settle the dispute over the pool game, he was struck by Cummings. It was shown that he might have done so had he wished.

In giving the details of the scuffle, however, the witnesses contradicted themselves. Johnson, for instance, said that Cummings did not duck to escape the blow which Vance leveled at him with the cue. Cox said that when Vance struck Cummings, Cummings dodged, and as he did so, brought his cue down upon Vance's head.

The state has not discharged its witnesses, but is saving them for rebuttal. It is expected that the case will be finished today.

PAT CROWE PLEADS GUILTY.

Admits Having Broke Jail at St. Joseph.

ST. JOSEPH, Mo., Nov. 20.—(Special.)—Judge Patrick O. Hayes of Omaha is here to assist Senator A. W. Brewster in the defense of Pat Crowe, charged with train robbery and jail breaking. Judge Hayes says